

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Sep 11, 2023**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

GREGG FREITAS and RYAN CALVERT,  
individually and on behalf of all others  
similarly situated,  
Plaintiffs,  
v.  
HEARTLAND EXPRESS, INC OF IOWA,  
Defendant.

No. 2:19-CV-00383-SAB

**ORDER GRANTING  
DISMISSAL AND CLOSING  
FILE**

Before the Court is the parties' Stipulation of Dismissal with Prejudice Pursuant to FRCP 41(1)(A)(ii), ECF No. 98. Plaintiff is represented by Erika L. Nusser, Joshua G. Konecky, Nathan B. Piller, and Toby J. Marshall. Defendant is represented by Cara R. Sherman, David R. Ongaro, Mojdeh F. Bowers, and Todd Reuter. The motion was heard without oral argument.

The parties stipulate and agree that they reached a class settlement that resolves both this action, as well as two similar, coordinated putative class action cases in the Superior Court of California, County of San Bernardino. The parties move the Court to dismiss this action with prejudice in light of the court-approved class action settlement. The Court finds good cause to grant the motion and instructs the Clerk of Court to close the file.

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**ORDER GRANTING DISMISSAL AND CLOSING FILE # 1**

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. The parties' Stipulation of Dismissal with Prejudice Pursuant to FRCP  
3 41(1)(A)(ii), ECF No. 98, is **GRANTED**.

4 2. The above-captioned action is **DISMISSED with prejudice** pursuant  
5 to Fed. R. Civ. P. 41(a)(1)(A)(ii), without costs or attorneys' fees to any party.

6 3. Any pending motions are **DISMISSED as moot**.

7 4. The trial date and any remaining pretrial deadlines are **STRICKEN**  
8 from the Court's calendar.

9 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order,  
10 forward copies to counsel, and **close** the file.

11 **DATED** this 11th day of September 2023.



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A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

17 Stanley A. Bastian  
18 Chief United States District Judge  
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